

NOTE: The President spoke at 2:20 p.m. in the Grand Foyer at the White House. In his remarks, he referred to Glenn Pomeroy, president, National Association of Insurance Commissioners. The President also referred to Public Law 104-191, the Health Insurance Portability and Accountability Act of 1996, approved Aug. 21, 1996.

**Memorandum on Ensuring  
Compliance With the Health  
Insurance Portability and  
Accountability Act**

*July 7, 1998*

*Memorandum for the Secretary of Labor, the  
Secretary of Health and Human Services, the  
Director of the Office of Personnel  
Management*

*Subject: Ensuring Compliance with the  
Health Insurance Portability and  
Accountability Act of 1996*

Earlier this year, my Administration received a number of troubling reports that health insurers were circumventing insurance protections under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) by giving financial incentives to agents to avoid enrolling Americans with pre-existing conditions. In addition, we learned that some agents were delaying the processing of applications submitted by qualified individuals in order to ensure that the applicant had a sufficient break in coverage to lose eligibility for HIPAA protections. Such actions clearly were and are inconsistent with the letter and spirit of HIPAA.

In February, I directed the Department of Health and Human Services (HHS) to take appropriate actions to encourage health insurers and their agents to stop all such harmful practices. The Health Care Financing Administration (HCFA) responded by immediately releasing a strong guidance bulletin on March 18 to every insurance commissioner in the Nation, advising them of our strong commitment to ensure compliance with HIPAA.

Today, I am taking additional actions to ensure that health plans comply with this law. I direct the Office of Personnel Management (OPM) to use its contractual relationship with health plans to improve HIPAA compli-

ance. The OPM oversees the Federal Employees Health Benefit Program (FEHBP), the Nation's largest employer-sponsored health benefits program with 9 million enrollees and 350 participating health plans.

Specifically, I direct the OPM to take all appropriate action—up to and including termination of a participating health plan from the FEHBP—if the OPM determines, consistent with HIPAA and implementing regulations, that a plan is engaging in insurance practices that are inconsistent with the letter and spirit of HIPAA. In order to be eligible to participate in the FEHBP, carriers subject to HIPAA will have to certify to the OPM that they are providing access to health insurance in compliance with HIPAA. Such action by the OPM will provide another enforcement tool to the Federal Government without in any way altering or hindering any other enforcement action by the HCFA or State insurance commissioners.

To help ensure that the OPM can take these important enforcement actions, I direct the HCFA to immediately send to the OPM reports of violations by insurers or their representatives that preclude or inhibit access to the insurance protections provided under HIPAA. Any such referral to the OPM would not alter the responsibility of States or the HCFA to utilize any and all enforcement tools at their disposal to ensure HIPAA compliance.

Finally, I direct that the HHS and the Department of Labor report to me, through the Vice President, within 6 months on the successes and shortcomings of HIPAA. This report should be produced after consultation with the States and the National Association of Insurance Commissioners and should include specific legislative or regulatory recommendations to further strengthen this law.

My Administration has zero tolerance for any actions that hinder vulnerable Americans from accessing insurance, consistent with HIPAA's protections. This directive is intended to ensure that health plans come into compliance with this important statute so that Americans are assured these insurance protections.

**William J. Clinton**

**Statement on the Death of M.K.O. Abiola of Nigeria**

*July 7, 1998*

I was deeply saddened to learn of the sudden and untimely death of M.K.O. Abiola, a distinguished citizen and patriot of Nigeria. I extend my heartfelt condolences to his family and to all of the people of Nigeria.

Members of a U.S. delegation, led by Under Secretary of State Thomas Pickering, and Nigerian officials were with Chief Abiola when he fell ill. They accompanied him to the hospital with a physician and Government officials and witnessed physicians at the State House clinic work to try to save Chief Abiola.

I have been encouraged by the efforts of the new head of state, General Abdulsalam Abubakar, to restore public confidence in the Government of Nigeria and to take crucial initial steps to embark on a credible transition to civilian democratic rule. I urge the Government of Nigeria to continue and to expedite this transition and call upon all the people of Nigeria to contribute peacefully and constructively to build a brighter future for their country.

In this time of tragedy, I wish to reaffirm the longstanding friendship of the people of the United States for the people of Nigeria.

**Remarks on Efforts to Promote Gun Safety and Responsibility**

*July 8, 1998*

I would like to begin by thanking Suzann Wilson for making the long trip up here from Arkansas with her sister to be with us today, so soon after that terrible tragedy. Most people wouldn't feel like going out of the house, much less coming all the way to Washington, and I think it is a real credit to her and to her devotion to her daughter that she is here today.

I want to thank Colonel Mitchell and Lieutenant Governor Kathleen Kennedy Townsend and, in his absence, Governor Glendening, for the pathbreaking work being done in Maryland on this important issue. I thank Secretary Rubin and Mr. Johnson and Mr. Magaw for being here and the work

the Treasury Department is doing. Thank you, Secretary Riley, for the work you've done to have zero tolerance for guns in schools. Thank you, Attorney General Reno, for the steady work now we have done for 6 years to try to bring this issue to the American people.

I thank Senator Durbin, Senator Chafee, and Senator Kohl, and a special word of thanks to Representative Carolyn McCarthy. And to all the advocates out here, I welcome you here, and I thank you, and especially to the law enforcement officers.

I think that this recent series of killings in our schools has seared the heart of America about as much as anything I can remember in a long, long time. I will always personally remember receiving the news from Jonesboro because it's a town I know well. I know the local officials; I know the school officials. I've spent large numbers of days there. I've been in all the schools and answered the children's questions. And once you know a place like that, you can't possibly imagine something like this occurring.

But it's happened all over the country. I was in Springfield, Oregon, as you know, in the last couple of weeks, meeting with the families there. I think every American has sent out prayers to Suzann and the other parents and the other spouses and people who were so wounded by this. But in a fundamental way, our entire Nation has been wounded by these troubled children with their guns.

As has already been said, these events have been even more difficult for us to understand because they're occurring at a time when we've had the lowest crime rate in America in 25 years and for the first time in a decade, a steady drop in the juvenile crime rate. So we struggle for answers. We say, "Well, does the popular culture have anything to do with this? Does good parenting have anything to do with this?" And we know that probably everything we consider has something to do with this. But no matter how you analyze this, it is clear that the combination of children and firearms is deadly. As parents, public officials, citizens, we simply cannot allow easy access to weapons that kill.

For 5 years now, our administration has worked to protect our children, and we are making progress, as has been said. A great